

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: M.G. FERNANDEZ et al.	)	Examiner: Phillip H. Nguyen
	)	
Serial No.: 10/805,106	)	Art Unit: 2191
	)	
Filed: March 19, 2004	)	
	)	
For: METHOD, SYSTEM, AND PROGRAM FOR	)	
OPTIMIZING CODE	)	

Sir:

Transmitted herewith in the above-identified application is an:

X Amendment- 16 pages.  
X No additional fee is required.

The fee has been calculated as shown below:

	Remaining After Amendment		Previously Paid For				Additional Fee
Total Claims	35	Minus	35	=	0	X50	= \$0
Independent Claims	3	Minus	3	=	0	X200	= \$0
First Presentation of Multiple Dependant Claim				=		+360	= \$0
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X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

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Respectfully submitted,

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Dated: August 15, 2007

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Phillip H. Nguyen on August 15, 2007.

\_\_\_\_\_  
 /David Victor/  
 David W. Victor

8/15/07  
 Date

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Applicant(s):	M.G. FERNANDEZ et al.	Examiner	Phillip H. Nguyen
Serial No.	10/805,106	Group Art Unit	2191
Filed	March 19, 2004	Docket No.	P19207
TITLE	METHOD, SYSTEM, AND PROGRAM FOR OPTIMIZING CODE		

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/David Victor/

David W. Victor

**AMENDMENT**

This amendment is submitted in response to a non-final first office action in the above case dated May 15, 2007 ("Office Action") in which the Examiner objected to certain claims, rejected certain claims as directed to non-statutory subject matter (35 U.S.C. §101), and rejected all the claims as anticipated (35 U.S.C. §102) over cited art. Applicants amended certain claims to overcome the objections and Sections 101 and 102 rejections. Applicants submit that all pending claims 1-35 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.  
Remarks/Arguments begin on page 11.